

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Pacifique Gahamanyi,

Civil No. 07-4007 (RHK/RLE)

Petitioner,

ORDER

vs.

Scott Baniecke,

Respondent.

Based upon the Report and Recommendation of United States Magistrate Judge Raymond L. Erickson, an independent review of the files, records and proceedings in the above-entitled matter, and no objections having been filed by Petitioner, **IT IS ORDERED:**

1. The Report and Recommendation (Doc. No. 15) is **ADOPTED**; and
2. The Petition for Writ of Habeas Corpus (Doc. No. 1) is **DENIED WITHOUT**

PREJUDICE.

Dated: November 24, 2008

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge